IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.370 OF 2006

M/s.Reliance Communication and
Infrastructure Ltd. .. Petitioners.

Versus

M/s.Concept Pharmaceuticals Ltd., .. Respondents.

Mr.Chambuwalla i/b.Dave & Co. for the petitioners.
Mr.N.N.Vaishnawa & Co. for the respondents.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 11TH JANUARY, 2007.

P.C.:

. In all fairness, Mr.Dave appearing for the petitioners states that the petitioners had filed a Summary Suit in this Court and a summons for judgement was taken out therein. The same was placed before the learned Single Judge of this Court and by consent of parties, the learned Judge directed that the respondent company to

furnish a bank guarantee in the sum of Rs.15.00 lacs within the time stipulated in his order.

. The learned advocate appearing for the respondents states that the steps have already been taken to furnish such a bank guarantee within the time stipulated in the order and the draft has been lodged for approval of the Prothonotary and Senior Master. In such circumstances and when the rights of the petitioners are fully protected by the order passed in the Summary Suit, no useful purpose will be served by proceeding with this petition. More so, when the amount due to the petitioners is secured by the order of this Court. The petition is therefore dismissed.

(S.C.Dharmadhikari, J.)